

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF OKLAHOMA

In re:	)	
	)	
MICHAEL L. CALLOWAY SR. And	)	Case No. 09-16011–SAH
LILLIE E. CALLOWAY,	)	Chapter 7
	)	
Debtors.	)	
_____	)	
	)	
RED RIVER ROOFING AND	)	
CONSTRUCTION, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	ADV. No. 10-01043-SAH
	)	
MICHAEL L. CALLOWAY, SR. AND	)	
LILLIE E. CALLOWAY,	)	
	)	
Defendants.	)	

**PLAINTIFF’S PRELIMINARY WITNESS AND EXHIBIT LIST**

Pursuant to this court’s August 5, 2010 Scheduling Order, Plaintiff, Red River Roofing and Construction, Inc., hereby submits the below preliminary witness and exhibit list:

**Plaintiff’s Preliminary Witness List**

<u>Name</u>	<u>Address</u>	<u>Proposed Testimony</u>
Steve Collyar	c/o David L. Nunn David L. Nunn, P.C. PO Box 230 Edmond, OK 73083-2030	All facts related to the contracting with defendant Michael L. Calloway, the performance of the contract by Red River Roofing, and all matters related to Plaintiff’s claims/contentions and/or Defendants’ defenses.

<u>Name</u>	<u>Address</u>	<u>Proposed Testimony</u>
Michael L. Calloway, Sr.	19445 Sportsman Road PO Box 2031 Edmond, OK 73083-2031	All facts related to: (1) The substance, detail, and veracity of information/answers in the Schedules, SOFA, 2004 Examination, and Meeting of Creditors; (2) Debtors' intentions (or lack thereof) to pay Red River as agreed; (3) Debtors' disposition of the insurance check and intention to injure Red River Roofing; (4) Asset value and operations of Debtors' many companies, and the transfer to VEMAC; (5) All other facts related to Plaintiff's claims/contentions, and/or Defendants' defenses.
Lillie E. Calloway	19445 Sportsman Road PO Box 2031 Edmond, OK 73083-2031	All facts related to: (1) The substance, detail, and veracity of information/answers in the Schedules, SOFA, 2004 Examination, and Meeting of Creditors; (2) Debtors' intentions (or lack thereof) to pay Red River as agreed; (3) Debtors' disposition of the insurance check and intention to injure Red River Roofing; (4) Asset value and operations of Debtors' many companies, and the transfer to VEMAC; (5) All other facts related to Plaintiff's claims/contentions, and/or Defendants' defenses.
Custodian of Records for Tinker Federal Credit Union	Tinker Federal Credit Union PO Box 45750 Oklahoma City, OK 73145-0750	Authentication of various bank statements and related records

<u>Name</u>	<u>Address</u>	<u>Proposed Testimony</u>
Custodian of Records for JP Morgan Chase Bank	JP Morgan Chase Bank, N.A. 7610 West Washington Street Indianapolis, IN 46231	Authentication of various bank statements and related records

All witnesses listed or  
called by Defendants, and  
not objected to by Red  
River Roofing

Any witness necessary to  
authenticate any document

Necessary rebuttal or  
impeachment exhibits.

All other witnesses  
identified during discovery

Plaintiff's Preliminary Exhibit List

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Evidence Rule Relied Upon</u>
	Picture of Debtors' Home at 19445 Sportsman Road, Edmond, Oklahoma		
	Picture of Debtors' Tennis Court at 19445 Sportsman Road, Edmond, Oklahoma		
	State Court Judgment entered in Oklahoma County, Case No. CJ-2009-5056.		
	State Farm Insurance Check No. 126749038J in the amount of \$30,465.63 (front and back)		
	State Farm Insurance Check No. 876 473 in the amount of \$5,664.29 (front and back)		
	Debtors' Voluntary Chapter 7 Petition, Schedules, and Statement of Financial Affairs (docket sheet item No. 1), filed October 26, 2009.		

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Evidence Rule Relied Upon</u>
	Transcript of Meeting of Creditors Held December 9, 2009		
	Plaintiff 's First Request For Admissions, First Interrogatories, and First Request For Production of Documents to Defendants, mailed June 3, 2010		
	Oklahoma Secretary of State Certified Copy of Certificate of Incorporation for A Plus Medical Care Inc.		
	Oklahoma Secretary of State Certificate of Good Standing for A Plus Medical Care of Oklahoma, Inc.		
	Oklahoma Secretary of State Certificate of Suspension for A Plus Medical Care Inc.		
	Oklahoma Secretary of State Certificate of Good Standing for Medical Enterprises, Inc.		
	Oklahoma Secretary of State Certified Copy of Certificate of Incorporation for A Plus Medical Care Inc.		
	Oklahoma Secretary of State Certificate of Suspension for A Plus Medical Care of Oklahoma, Inc.		
	Arkansas Secretary Certified Copy of All Records on file for A Plus Medical Care of Arkansas, Inc.		
	Oklahoma Secretary of State Certified Copy of Certificate of Incorporation for A Plus Medical Care of Oklahoma, INC.		
	Docket Sheet from APMC, Inc. lawsuit, Case No. 5:08-cv-00249-L, pending in the United States District Court for the Western District of Oklahoma ("APMC Lawsuit)		

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Evidence Rule Relied Upon</u>
	Affidavit of Michael Calloway executed and filed in APMC Lawsuit		
	Corporate Disclosure Statement from APMC Lawsuit		
	Various checks to Kace King, IMG Academies, St. Leo's University		
	Oklahoma Secretary of State Certified Copy of Certificate of Incorporation for A Plus Medical Care Inc.		
	Oklahoma Secretary of State Certified Copy of Certificate of Incorporation for Medical Enterprises, Inc.		
	Oklahoma Secretary of State Certified Copy of Certificate of Incorporation for High Expectations, LLC		
	Oklahoma Secretary of State Certified Copy of Certificate of Incorporation for A Plus Medical Care of Oklahoma, Inc.		
	Oklahoma Secretary of State Certified Copy of Certificate of Incorporation for Part-Time Services LLC		
	Oklahoma Secretary of State Certified Copy of Certificate of Incorporation for The Next Level Sports Management, Inc.		
	Oklahoma Secretary of State Certified Copy of Certificate of Incorporation for All In One Property Management Services, Inc.		
	Oklahoma Secretary of State Certified Copy of Certificate of Incorporation for Perception Consulting, Inc.		
	Oklahoma Secretary of State Certified Copy of Certificate of Conversion for Perception Consulting, LLC		

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Evidence Rule Relied Upon</u>
	Oklahoma Secretary of State Certified Copy of Certificate of Conversion for All In One Property Management Services, LLC		
	Oklahoma Secretary of State Certified Copy of Documents on File for VEMAC, LLC		
	Various Checks payable to insurance companies, to include Lincoln National Life, American General Life, and Selected Funeral and Life Insurance		
	Oklahoma Secretary of State Certified Copy of Certificate of Limited Liability for Premier Providers, LLC		
	Internet Advertisement for VEMAC Group		
	Documents subpoenaed from JP Morgan Chase Bank, N.A.		
	Documents subpoenaed from Tinker Federal Credit Union.		
	All documents used or listed by Defendants and not objected to by Red River Roofing.		
	Additional documents identified during discovery.		
	Necessary Rebuttal exhibits		

Respectfully submitted,  
/s/ David L. Nunn  
 DAVID L. NUNN, OBA #14512  
 -Of the Firm-  
 DAVID L. NUNN, P.C.  
 PO Box 230  
 Edmond, Oklahoma 73083-0230  
 (405) 330-4053  
 (405) 330-8470 (fax)  
 ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on August 20, 2010 I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit the above and foregoing pleading to the following:

Herbert M. Graves Ustpreion20.oc.ecf@usdoj.gov  
Lyle R. Nelson lyle@lylenelsonlaw.com, ok04@ecfcbis.com  
David L. Nunn dnunn@davidlnunnpc.com

This is to further certify that the above and foregoing was mailed, postage prepaid, on the 20th day of August, 2010 to the following entities:

Michael and Lillie Calloway  
PO Box 2031  
Edmond, OK 73083-2031

/s/ David L. Nunn

David L. Nunn